

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

JASON HARTLINE,

Petitioner,

vs.

JAMES SALMONSON,

Respondent.

**CV-18-60-GF-BMM-JTJ**

**ORDER**

United States Magistrate Judge John T. Johnston entered his Order and Findings and Recommendations on May 8, 2018, recommending dismissal of Petitioner Jason Hartline’s petition for writ of habeas corpus under 28 U.S.C. § 2254. (Doc. 5.) Hartline timely filed an objection on May 24, 2018. (Doc. 6.)

The Court reviews *de novo* findings and recommendations to which objections are made. 28 U.S.C. § 636(b)(1)(C). Portions of findings and recommendations to which no party specifically objects are reviewed for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). “A party makes a proper objection by

identifying the parts of the magistrate's disposition that the party finds objectionable and presenting legal argument and supporting authority, such that the district court is able to identify the issues and the reasons supporting a contrary result." *Montana Shooting Sports Ass'n v. Holder*, 2010 WL 4102940, at \*2 (D. Mont. 2010) (citations omitted).

Judge Johnston determined, and this Court agrees, that this matter should be dismissed because Hartline has not filed an individual petition for habeas corpus relief as directed. Hartline is precluded from filing his request for habeas relief en masse with other petitioners. Hartline's objection does not relate to Judge Johnston's Findings and Recommendations and merely rehashes the grievances aired in his petition and supplement. As a result, this Court reviews the record for clear error. L.R. 72.3(a).

The Court has reviewed Judge Johnston's Findings and Recommendations for clear error. The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 5), are **ADOPTED IN FULL**.

**IT IS ORDERED** that Hartline's Petition (Doc. 2) is **DISMISSED WITHOUT PREJUDICE**.

**IT IS ORDERED** that the Clerk of Court shall enter a judgement of dismissal.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

DATED this 24th day of July, 2018.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable. It is positioned above a horizontal line.

Brian Morris  
United States District Court Judge